



**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

Tentative Notice of Action

*Promoting the wise use of land
Helping build great communities*

MEETING DATE November 18, 2016 LOCAL EFFECTIVE DATE December 2, 2016 APPROX FINAL EFFECTIVE DATE December 23, 2016	CONTACT/PHONE Brandi Cummings, Project Manager 805-781-1006 bcummings@co.slo.ca.us	APPLICANT Charles and Cheryl Stauffer	FILE NO. DRC2016-00011
SUBJECT A request by CHARLES & CHERLYL STAUFFER for a Minor Use Permit/Coastal Development Permit to allow for the demolition of an existing 1,072 square-foot single family residence and the construction of a 2,450 square-foot single-family residence with a 625 square-foot detached garage. The project will result in the permanent disturbance of approximately 4,300 square-feet of the 17,500 square-foot parcel. The project is within the Residential Single Family land use category and is located at 1107 Kenneth Drive, approximately 1 mile west of the Ardath Drive and CA Highway 1 intersection, in the community of Cambria. The site is in the North Coast planning area.			
RECOMMENDED ACTION Approve Minor Use Permit DRC2016-00011 based on the findings listed in Exhibit A and the conditions listed in Exhibit B			
ENVIRONMENTAL DETERMINATION Class 1 and Class 3 Categorical Exemptions were issued on October 12, 2016.			
LAND USE CATEGORY Residential Single Family	COMBINING DESIGNATION Archaeologically Sensitive Area, Geologic Study Area, Local Coastal Plan, Terrestrial Habitat	ASSESSOR PARCEL NUMBER 023-032-008	SUPERVISOR DISTRICT(S) 2
PLANNING AREA STANDARDS: Monterey Pine Forest Terrestrial Habitat (SRA), Water Conservation Requirements, Cambria Community Services District Review, Cambria Fire Department Review, Erosion Control, Landscaping, Exterior Lighting, Archaeological Resource Protection, Residential Single-Family Standards <i>Does the project meet applicable Planning Area Standards: Yes - see discussion</i>			
LAND USE ORDINANCE STANDARDS: Local Coastal Program, Appeals to the Coastal Commission, Environmentally Sensitive Habitat, Geologic Study Area <i>Does the project conform to the Land Use Ordinance Standards: Yes - see discussion</i>			
FINAL ACTION This tentative decision will become the final action on the project, unless the tentative decision is changed as a result of information obtained at the administrative hearing or is appealed to the County Board of Supervisors pursuant Section 23.01.042 of the Coastal Zone Land Use Ordinance; effective on the 10th working day after the receipt of the final action by the California Coastal Commission. The tentative decision will be transferred to the Coastal Commission following the required 14-calendar day local appeal period after the administrative hearing. The applicant is encouraged to call the Central Coast District Office of the Coastal Commission in Santa Cruz at (831) 427-4863 to verify the date of final action. The County will not issue any construction permits prior to the end of the Coastal Commission process.			
<small>ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER γ SAN LUIS OBISPO γ CALIFORNIA 93408 γ (805) 781-5600 γ FAX: (805) 781-1242</small>			

EXISTING USES: Single family dwelling and guesthouse	
SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Residential Single Family/residences <i>East:</i> Residential Single Family/residences <i>South:</i> Residential Single Family/residences <i>West:</i> Residential Single Family/residences	
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: North Coast Advisory Council, Public Works, Building Division, Cambria Fire, Cambria Community Services District, and California Coastal Commission	
TOPOGRAPHY: Moderately sloping	VEGETATION: Monterey Pines, Oaks, Grasses
PROPOSED SERVICES: Water supply: Cambria Community Services District Sewage Disposal: Cambria Community Services District Fire Protection: Cambria Fire	ACCEPTANCE DATE: October 12, 2016

DISCUSSION

The applicant is proposing to demolish an existing 1,072 square-foot single family residence and construct a 2,450 square-foot single-family residence with a 625 square-foot detached garage. The project will result in the permanent disturbance of approximately 4,300 square-feet of the 17,500 square-foot parcel. The existing permitted guesthouse on the property will remain. One oak tree is proposed for removal, and will be replaced at a 6:1 ratio onsite.

PLANNING AREA STANDARDS:

As described below, the project complies with applicable Combining Designations, Cambria Urban Area, and the Residential Single Family development standards of the North Coast Area Plan.

Monterey Pine Forest Terrestrial Habitat (SRA) (TH). The purpose of these standards is to minimize tree removal and avoid impacts to the sensitive Monterey pine forest habitat. All development within Monterey pine forest (TH) shall include the following minimum standards:

- A. **Establishment of a 'project limit area.'** A project limit area shall be established in a manner that avoids Monterey pine forest impacts to the maximum extent feasible, is located on the least sensitive portion of the site, and safeguards the biological continuance of the habitat. The project limit area shall include all areas of the site where vegetation will need to be trimmed or removed for fire safety purposes.
- B. **New Development siting.** Applications for new development within the Monterey pine forest shall demonstrate that no native vegetation outside the "project limit area" shall be removed, except for trees identified as hazardous by a qualified professional.
- C. **Plan Requirements.** All site, construction and grading plans submitted to the County shall identify by species and diameter all Monterey pine trees that are six inches or more in diameter 4.5 feet above ground and oak trees four inches or more in diameter 4.5 feet above ground identified by species and diameter. The plans shall indicate which trees are to be retained and which trees are proposed for removal.

- D. **Construction Practices.** Construction practices to protect Monterey pines, oak trees and significant understory vegetation shall be implemented.
- E. **Replacement of Vegetation.** Any Monterey pine trees that are six inches or more in diameter 4.5 feet above the ground shall be replaced at a 4:1 ratio for each tree removed, and at a 2:1 ratio for each tree impacted but not removed. Any oak trees that are four inches in diameter 4.5 feet above ground shall be replaced at a 6:1 ratio for each tree removed, and at a ratio of 3:1 ratio for each tree impacted but not removed. All open areas of the site disturbed by project construction are to be seeded with native, drought and fire resistant species that are compatible with the habitat value of the surrounding forest.
- F. **Understory Vegetation Removal.** No understory vegetation shall be removed until a permit has been issued or unless an immediate hazardous condition exists. Understory vegetation removal to create, improve, or maintain adequate defensible space and Fire Hazard Fuel Reduction shall be the minimum necessary

Staff comments: The proposed project site contains Monterey pine trees and oak trees. The proposed single family residence will replace an existing single family residence and the project will require the removal of one oak tree. The proposed project is in compliance with these standards because the project will replace the one removed oak tree at a 6:1 ratio onsite.

Limitation on Development

- A. Water Service in Cambria. Until such time as may be otherwise authorized through a coastal development permit approving a major public works project involving new potable water sources for Cambria, new development not using CCSD connections or water service commitments existing as of November 15, 2001 (including those recognized as "pipeline projects" by the Coastal Commission on December 12, 2002 in coastal development permits A-3-SLO-02-050 and A-3-SLO-02-073, shall assure no adverse impacts to Santa Rosa and San Simeon Creeks;
- B. Water Conservation Requirements. New development resulting in increased water use shall offset such increase through the retrofit of existing water fixtures within the Cambria Community Service District's service area, or through other verifiable actions to reduce existing water use in the service area. All coastal development permits authorizing such development shall be conditioned to require applicants to provide to the Planning Director for review and approval prior to construction, written evidence of compliance with CCSD Ordinance 1-98, as approved by the CCSD Board of Directors on January 26, 1998, and modified on November 14, 2002, and as codified in the CCSD Code Chapter 4.20 in 2004. Prior to application acceptance, land use and building permit applications shall include a written verification of water and sewer service from the CCSD. Also prior to final building inspection the applicant shall submit a water and sewer service condition compliance letter from the CCSD.

Staff comments: The proposed project is a replacement dwelling with an active water service commitment from the CCSD and therefore complies with this standard. The applicant submitted

a Confirmation of Water & Sewer Availability letter from the Cambria Community Services District dated August 4, 2016 and also paid a retrofit in-lieu fee of \$2,000.

Cambria Community Services District Review. Prior to application acceptance, land use and building permit applications shall include a written verification of water and sewer service from the Cambria Community Services District. A water and sewer service condition compliance letter from the Cambria Community Services District shall be provided to the Department of Planning and Building prior to final building inspection.

Staff comments: The proposed project is consistent with this standard because the applicant submitted a Confirmation of Water & Sewer Availability letter from the Cambria Community Services District dated August 4, 2016.

Cambria Fire Department Review. All new development shall comply with applicable state and local Cambria fire codes. Prior to application acceptance, land use and building permit applications shall include a fire plan review from the Cambria Fire Department.

Staff comments: The applicant submitted a Fire Plan Review from the Cambria Fire Department dated July 28, 2016.

Erosion Control. In addition to other applicable requirements of the Coastal Zone Land Use Ordinance, all runoff from impervious surfaces such as roofs, driveways, walks, patios, and/or decks shall be collected and retained on-site to the greatest extent possible. Run-off not able to be retained on-site shall be passed through an effective erosion control device or filtration system approved by the Public Works Department. Impermeable surfaces should be minimized in order to maximize the amount of on-site run-off infiltration.

Staff comments: The applicant is required and conditioned to submit drainage, erosion, and sedimentation control plans at the time of construction permit application

Landscaping. All areas of the site disturbed by project construction shall be revegetated with native, drought and fire resistant species that are compatible with the habitat values of the surrounding forest. Non-native, invasive, fire prone, and water intensive (i.e. turf grass) landscaping shall be prohibited on the entire site. All landscaping and construction practices shall work to maintain and regenerate habitat values. Plant materials shall be used to mimic or enhance naturally occurring vegetation. Materials shall be propagated from appropriate native stock to ensure that the gene pool is not diluted for endemic species. This is particularly true for Monterey Pines and riparian plantings. A list of prohibited plants, such as Pampas grass and Scotch broom, is available from the Department of Planning and Building. Use of plants listed in the California Invasive Plant Council (Cal IPC) Invasive Plant Inventory is prohibited.

Staff comments: This project is conditioned to provide a landscape plan at time of construction permit application.

Exterior Lighting. Use only the minimum amount necessary to achieve essential illumination. All light fixtures, including security lighting, shall be aimed and shielded so that the direct illumination shall be confined to the property boundaries source. Particular care is to be taken to assure that the direct illumination does not fall onto or across any public or private street or road. Motion sensing light fixtures shall be fully shielded and properly adjusted, according to the

manufacturer's instructions, to turn off when detected motion ceases. All light fixtures are required to be fully shielded.

Staff comments: No exterior lighting is proposed at this time. Lighting plans will be checked at time of construction permit application for compliance with this standard.

Archaeological Resource Protection. New development projects that have the potential to impact archaeological resources shall be referred to the affected Native American tribe. In the event archaeological resources are unearthed or discovered during any construction activities, construction activities shall cease and the Environmental Coordinator and Planning Department shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law. Construction activities shall not commence until a mitigation plan, prepared by a qualified professional archaeologist in consultation with appropriate Native American representatives and reviewed and approved by the Planning Director, is completed and implemented. The mitigation plan shall include measures to avoid the resources to the maximum degree feasible and shall provide mitigation for unavoidable impacts. A report verifying that the approved mitigation plan has been completed shall be submitted to the Planning Director prior to occupancy or final inspection, whichever occurs first. In the event archaeological resources are found to include human remains, or in any other case where human remains are discovered during construction, the County Coroner is to be notified in addition to the Planning Department and Environmental Coordinator so that proper disposition may be accomplished.

Staff comments: Applicant submitted a Cultural Resources Assessment (Anastasio, March 2014). The report noted six prehistoric sites within a quarter mile of the project parcel one of which is across the street. However, during the surface survey, no cultural indicators such as lithic debitage, weathered faunal bone or shell, or burned rock or midden soils were noted. The report concluded that no significant archeological resources have been discovered, and the potential for "hidden" resources seems unlikely. This project is conditioned to cease construction in the event archaeological resources are uncovered during ground disturbing activities.

Residential Single-Family

Height. The maximum height is 28 feet above average natural grade.

Staff comments: The proposed project is 22 feet high, above average natural grade, and therefore complies with this standard.

Building Size. Development in the Single Family Residential category in areas subdivided into 25-foot lots shall comply with the footprint and gross structural area requirements. These standards do not apply to Tract 163, Tract 61, Tract 358, Tract 420, Tract 44, Tract 112, Cambria Pines Estates #1, and the two marine terrace blocks south to Lampton Street.

Staff comments: The proposed project is located in Cambria Pines Estates #1 and is not required to comply with this standard.

Setbacks. For all lots less than one acre in size, front and rear setbacks must total 25 feet, with a minimum of 10 feet in the front and 10 feet in the rear. For lots 50 feet and wider, side setbacks shall total a combined 12 feet with a 5 foot minimum on each side.

Staff comments: The proposed project has a front setback of 22 feet, a rear setback of 58 feet, a right side setback of 5 feet, and a left side setback of 7 feet, and therefore complies with this standard.

Parking and Access Standards. Two off-street spaces are required for each single-family dwelling. At least one space shall be covered (garage or carport), and the other space may be located within the front setback.

Staff comments: The proposed project includes a detached two-car garage and complies with this standard.

Residential Design Criteria. The North Coast Area Plan contains discretionary design criteria for single-family residential development in Cambria. As described below, the proposed residence is consistent with applicable design criteria.

- A. **Impermeable Surfaces.** The project will result in approximately 4,215 square-feet of new impermeable area. The project is conditioned to submit a Storm Water Control Plan Application and Coversheet at the time of construction permit application.
- B. **Parking Drives and Garages.** The proposed project provides for a two-car garage, driveway, and approach. Though prominent the garage does not dominate the design of the residence.
- C. **Topography.** The subject parcel is moderately sloping, with an average slope of 15%. The proposed project will not result in abrupt grade changes.
- D. **Drainage.** The project complies with this guideline as it will be designed and constructed to retain water on-site, and the project is conditioned to provide a drainage plan, consistent with the North Coast planning area standards, to Public Works for review and approval.
- E. **Building Design Standards.** The proposed residence and garage include articulation to break up the bulk of the structure, compatible in design and materials with the neighborhood design patterns. The design has a low pitched roof and is on a down sloping lot, which appears as a single-story house from the street.

COASTAL ZONE LAND USE ORDINANCE STANDARDS:

Section 23.07.120: Local Coastal Program

The project site is located within the California Coastal Zone as established by the California Coastal Act of 1976, and is subject to the provisions of the Local Coastal Program.

Section 23.01.043 c. (3)(i): Appeals to the Coastal Commission (Coastal Appealable Zone)

The project is appealable to the Coastal Commission because the subject parcel is located in an Environmentally Sensitive Habitat Area (Terrestrial Habitat).

Section 23.07.170 e.(1-5) Environmentally Sensitive Habitat (ESH) Development Standards

1. New development within or adjacent to the habitat shall not significantly disrupt the resource.
2. New development within the habitat shall be limited to those uses that are dependent upon the resource.
3. Where feasible, damaged habitats shall be restored as a condition of development approval.
4. Development shall be consistent with the biological continuance of the habitat.
5. Grading adjacent to Environmentally Sensitive Habitats shall conform to the provisions of Section 23.05.034.c (Grading Standards.)

Staff comments: The construction of the single family residence will result in the removal of one oak tree. The proposed project meets these standards because the project is conditioned to replant at a 6:1 ratio the one removed oak tree.

Section 23.07.080: Geologic Study Area

The project site is located within the Geologic Study Area (GSA) combining designation, and is subject to the provisions of the CZULO. All land use permit applications for projects located within a Geologic Study Area (except those exempted by Section 23.07.082) shall be accompanied by a report prepared by a certified engineering geologist and/or registered civil engineer (as to soils engineering), as appropriate.

Staff comments: The applicant submitted a Soils Engineering Report (GeoSolutions, Inc., February 24, 2016). The report was submitted to the Department's Geologist for review and comment. A Review of Geotechnical Engineering Report (LandSet Engineers, Inc., October 22, 2016) was prepared by the Department Geologist and concurred with the Soils Engineering Report that the susceptibility for land sliding at the site is low.

COASTAL PLAN POLICIES:

Shoreline Access: N/A

Recreation and Visitor Serving: N/A

Energy and Industrial Development: N/A

Commercial Fishing, Recreational Boating and Port Facilities: N/A

Environmentally Sensitive Habitats: ☒ Policy No(s): 1, 3, 29, and 30

Agriculture: N/A

Public Works: ☒ Policy No: 1

Coastal Watersheds: ☒ Policy No(s): 8, 9, 10, and 11

Visual and Scenic Resources: ☒ Policy No(s): 1 and 2

Hazards: ☒ Policy No(s): 1 and 2
Archeology: ☒ Policy No(s): 1, 4, and 6
Air Quality: N/A

Does the project meet applicable Coastal Plan Policies: Yes, as conditioned

COASTAL PLAN POLICY DISCUSSION:

Environmentally Sensitive Habitats:

Policy 1: Land Uses Within or Adjacent to Environmentally Sensitive Habitats: *The proposed project is consistent with this policy because the one oak tree that will be removed will be replanted at 6:1 ratio, with one gallon native stock.*

Policy 3: Habitat Restoration: *The proposed project is consistent with this policy because the one oak tree that will be removed will be replanted at 6:1 ratio, with one gallon native stock.*

Policy 29: Protection of Terrestrial Habitats: *The project is consistent with this policy because the proposed residence is a permitted use on the site and the one oak tree that will be removed will be replanted at 6:1 ratio, with one gallon native stock.*

Policy 30: Protection of Native Vegetation: *The proposed project is consistent with this policy because the one oak tree that will be removed will be replanted at 6:1 ratio, with one gallon native stock.*

Public Works:

Policy 1: Availability of Service Capacity. *The proposed project is a replacement dwelling with an active water service commitment from the CCSD and therefore complies with this standard. The applicant submitted a Confirmation of Water & Sewer Availability letter from the Cambria Community Services District dated August 4, 2016 and also paid a retrofit in-lieu fee of \$2,000.*

Coastal Watersheds:

Policy 8: Timing of Construction and Grading. *The proposed project is conditioned to comply with this policy as the project shall have an erosion and sedimentation control plan where grading is conducted or left in an unfinished state during the period from October 15 through April 15.*

Policy 9: Techniques for Minimizing Sedimentation. *The proposed project is conditioned to comply with this policy as the applicant shall apply Best Management Practices in the selection and implementation of site maintenance.*

Policy 10: Drainage Provisions. *The proposed project is conditioned to comply with this policy as the applicant shall provide a drainage plan to San Luis Obispo County Public Works Department for review and approval, and shall implement the approved drainage plan, showing that construction of the guesthouse and garage will not increase erosion or runoff.*

Policy 11: Preserving Groundwater Recharge. *The proposed project is consistent with this policy as the project shall retain groundwater on-site to the extent feasible.*

Visual and Scenic Resources:

Policy 1: Protection of Visual and Scenic Resources. *The proposed project complies with this policy, as the project will be developed on a residential lot. The lot is within a developed section of Cambria and shall be in character and scale with the surrounding neighborhood, and will not significantly block existing scenic vistas.*

Policy 2: Site Selection for New Development. *The proposed project complies with this standard, as the proposed residence will be developed on an existing residential lot, and the development will not block existing public views.*

Hazards

Policy 1: New Development. *The applicant submitted a Soils Engineering Report (GeoSolutions, Inc., February 24, 2016). The report was submitted to the Department's Geologist for review and comment. A Review of Geotechnical Engineering Report (LandSet Engineers, Inc., October 22, 2016) was prepared by the Department Geologist and concurred with the Soils Engineering Report that the susceptibility for land sliding at the site is low.*

Policy 2: Erosion and Geological Stability. *The applicant submitted a Soils Engineering Report (GeoSolutions, Inc., February 24, 2016). The report was submitted to the Department's Geologist for review and comment. A Review of Geotechnical Engineering Report (LandSet Engineers, Inc., October 22, 2016) was prepared by the Department Geologist and concurred with the Soils Engineering Report that the susceptibility for land sliding at the site is low.*

Archaeology

Policy 1: Protection of Archaeological Resources. *The proposed project complies with this standard because the project is conditioned to retain a qualified archaeologist to monitor ground-disturbing activities and to halt construction in the event archaeological resources are discovered.*

Policy 4: Preliminary Site Survey for Development within Archeologically Sensitive Areas. *The applicant submitted a Cultural Resources Assessment (Anastasio, March 2014). The report noted six prehistoric sites within a quarter mile of the project parcel one of which is across the street. However, during the surface survey, no cultural indicators such as lithic debitage, weathered faunal bone or shell, or burned rock or midden soils were noted. The report concluded that no significant archeological resources have been discovered, and the potential for "hidden" resources seems unlikely.*

Policy 6: Archaeological Resources Discovered during Construction or through Other Activities. *The proposed project complies with this standard because the project is conditioned to*

retain a qualified archaeologist to monitor ground-disturbing activities and to halt construction in the event archaeological resources are discovered.

COMMUNITY ADVISORY GROUP COMMENTS:

The North Coast Advisory Council (NCAC) considered this item at their October 19, 2016 regular meeting. The NCAC voted to recommend approval of this project.

AGENCY REVIEW:

Public Works – the referral response letter received September 2, 2016 from Tim Tomlinson included comments regarding access, drainage, and a Storm Water Control Plan

Cambria Fire – the referral response letter received July 28, 2016 included comments regarding ignition resistant construction, defensible space, and automatic fire sprinklers

Cambria Community Services District – the referral response letter received August 4, 2016 included comments regarding sewer and water impact fees, water fixtures, water meter size, inspections, and additional separate dwellings.

California Coastal Commission – no comments received.

LEGAL LOT STATUS:

The one existing lot is Lot 38 of Cambria Pines Estates #1 and was legally created by a recorded deed at a time when that was a legal method of creating lots.

Staff report prepared by Kacey Hass and was reviewed by Brandi Cummings and Karen Nall.